

RDJ/DCD/jm  
09/20/99

SECTOR 8

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

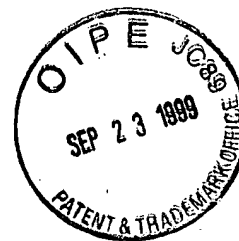
Applicants: Richard L. Frank, Michael J. Cusson, Joydip Kundu  
and Daniel E. O'Shaughnessy

Application No.: 09/321,967 Group: 2782

Filed: May 28, 1999

For: Providing Figure of Merit Vote from Application Executing On A  
Partitioned Cluster

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>September 21, 1999</u>	<u>Jennifer Menard</u>
Date	Signature
<u>Jennifer Menard</u>	
Typed or printed name of person signing certificate	

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In reply to the Notice to File Missing Parts dated June 24, 1999, the following documents and fees are being submitted for filing in the captioned application:

- [X] **EXECUTED DECLARATION/POWER OF ATTORNEY** - A copy of the Notice is attached.  
(Separate transmittal letter and postcard not required)
- [X] **FILING FEE** - with Fee Transmittal for Patent Applications in duplicate.  
(Separate transmittal letter and postcard not required)
- [X] **SURCHARGE** - surcharge fee of \$130.00.  
(Separate transmittal letter and postcard not required)
- [ ] **SEQUENCE LISTING** - Filed concurrently and is attached.  
(Separate transmittal letter and postcard required)

09/27/1999 WPM11 00000030 09321967

03 FC:115

110.00 DP

**[X] PETITION FOR EXTENSION OF TIME**

☒ Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated June 24, 1999 for one-month from August 24, 1999 to September 24, 1999. The appropriate fee of \$110.00 is included in the enclosed check.

☐ A ☐ month extension of time to respond to the Notice to File Missing Parts dated ☐ was filed on ☐ with payment of a \$☐ fee.

☐ Applicant hereby petitions for an additional ☐ month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$☐ is included in the enclosed check.

*(Separate Petition for Extension of Time and postcard not required)*

☐ **REQUEST FOR CORRECTED FILING RECEIPT** - Filed concurrently and is attached.

*(Separate transmittal letter and postcard required)*

☐ **VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS**

☐ Was filed on ☐.

☐ Is enclosed herewith.

*(Separate transmittal letter and postcard not required)*

☐ In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$☐ which were paid on ☐ to be deposited in Deposit Account No. 08-0380.

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$1000.00. Authorization is hereby granted to charge any additional fees due to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Diane C. Drozenski  
Diane C. Drozenski  
Registration No.: 39,177  
Tel.: (781) 861-6240  
Fax: (781) 861-9540

Lexington, Massachusetts 02421-4799  
Date: September 21, 1999



# HAMILTON, BROOK, SMITH & RE OLDS, P.C.

<b>FEE TRANSMITTAL FOR PATENT APPLICATIONS</b>		Attorney Docket Number		ORA99-09 (OID-1999-35-05)	
		Application Number		09/321,967	
		First Named Inventor		Richard L. Frank	
CLAIM CALCULATION (includes any preliminary amendment)					
CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	12 - 20* =	0	x \$ 18 =	\$ 0
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	3 - 3** =	0	x \$ 78 =	\$ 0
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 260 =	\$
				BASIC FEE (37 CFR 1.16(a) or (h))	\$ 760
				Total of above Calculations =	\$ 760
				Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =	\$
				TOTAL =	\$ 760
				Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =	\$ 130
				Petition for Extension of Time Fee (37 C.F.R. 1.17) =	\$ 110
				Assignment Recordation Fee = (only when filed with application)	\$
				TOTAL =	\$ 1000
<p>* Reissue claims in excess of 20 and over original patent  ** Reissue independent claims over original patent</p>					
<p>1. Small entity status:</p> <p style="margin-left: 40px;">a. <input type="checkbox"/> A small entity statement is enclosed.</p> <p style="margin-left: 40px;">b. <input type="checkbox"/> A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.</p> <p style="margin-left: 40px;">c. <input type="checkbox"/> Is no longer claimed.</p> <p>2. <input checked="" type="checkbox"/> A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.</p> <p>3. <input checked="" type="checkbox"/> A check is enclosed for \$1000.00. <span style="margin-left: 100px;"><input type="checkbox"/> Please charge \$[ ] to Deposit Account No. 08-0380.</span></p> <p>4. <input type="checkbox"/> Other: _____</p>					
Signature		<i>Diane C. Drozenski</i>		Date	September 21, 1999
Submitted by Typed or Printed Name		Diane C. Drozenski		Reg. Number	39,177

BEST AVAILABLE COPY



UNITED STATES DEPARTMENT OF COMMERCE

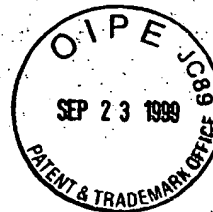
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/321,967	05/28/99	FRANK	R ORA99-09 (OID)

0232/0624

RODNEY D JOHNSON ESQ  
HAMILTON BROOK SMITH & REYNOLDS PC  
TWO MILITIA DRIVE  
LEXINGTON MA 02421-4799



NOT ASSIGNED

2782

DATE MAILED:

06/24/99

NOTICE TO FILE MISSING PARTS OF APPLICATION

Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of \$65.00 for a small entity in compliance with 37 CFR 1.27, or \$180.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☐ non-small entity is \$ 890

☒ The statutory basic filing fee is:

- ☐ missing.  
☐ insufficient.

Applicant must submit \$ 760 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. The following additional claims fees are due:

\$ \_\_\_\_\_ for \_\_\_\_\_ total claims over 20.

\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☐ is missing or unsigned.  
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice **MUST** be returned with the reply.

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

09/27/1999 WMAN11 00000030 09321967

01 FC:101  
02 FC:105

760.00 DP  
130.00 DP